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10/031,322	06/21/2002	Dieter Arabin	12308/1	5907
26646	7590	05/15/2006	EXAMINER	
KENYON & KENYON LLP ONE BROADWAY NEW YORK, NY 10004			MILLER, WILLIAM L	
			ART UNIT	PAPER NUMBER
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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/031,322
Filing Date: June 21, 2002
Appellant(s): ARABIN, DIETER

Thomas C. Hughes
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 02-27-2006 appealing from the Office action mailed 11-22-2004.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

No evidence is relied upon by the examiner in the rejection of the claims under appeal.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 4-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Luebke (US#5137495).

Regarding claim 4, Luebke discloses a drive bearing for printing machines for coupling a rotating tool to a drive shaft of a servomotor comprising an element 4 located at an interface between the rotating tool 1 and the drive shaft 16 on a tool axis, the element having an axially projecting coupling cone 6 that engages a counter recess of the drive shaft (tapered recess of drive shaft portion 10), the cone being releasably held in the recess by frictional engagement of the surface of the cone with the surface of the recess, wherein an angular position of the element is adjustable, and wherein the element is centered and configured to be secured to prevent rotation.

Regarding claim 5, Luebke discloses an undercut, labeled as U in the figure included in the Office action dated 05-26-2004, on an inner bore of the coupling cone of the element, and a tensioning rod 8 having a spreading head 9, the rod configured to extend through the drive shaft so that the cone frictionally engages the counter recess in the drive shaft so as to provide a releasable holding of the coupling cone.

Regarding claim 6, Luebke discloses the drive shaft comprising channels 19 that work together along with spring 22 and rod 23 to deliver a pressurized medium to detach the cone, released from the tightening rod, from the counter recess in the drive shaft.

Referring to claim 7, Luebke discloses a drive bearing for printing machines for coupling a rotating tool to a drive shaft of a servomotor comprising an element 4 located at an interface between the rotating tool 1 and the drive shaft 16 on a tool axis, the element having an axially projecting coupling cone 6 that engages a counter recess of the drive shaft (tapered recess of

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drive shaft portion 10), the cone tapering down in the direction toward the drive shaft and being releasably held in the recess by frictional engagement of the surface of the cone with the surface of the recess, an undercut, labeled as U in the figure included in the Office action dated 05-26-2004, on an inner bore of the coupling cone of the element, and a tensioning rod 8 having a spreading head 9, the rod configured to extend through the drive shaft so that the cone frictionally engages the counter recess in the drive shaft so as to provide a releasable holding of the coupling cone, wherein an angular position of the element is adjustable, and wherein the element is centered and configured to be secured to prevent rotation.

(10) Response to Argument

The appellant presents two arguments regarding independent claims 4 and 7:

Argument 1) Element 6 of Luebke is not a coupling cone; and

Argument 2) Luebke fails to disclose or suggest element 6 is releasably held in the recess of element 10 by frictional engagement of the surface of the cone with the surface of the recess.

Regarding argument 1), element 6 of Luebke is shaped as a cone at least to the extent of the cone 20 shown and described in the instant application. Moreover, per Figs. 1 and 4 of Luebke, element 6 includes tapered sides, and per Fig. 4 of Luebke, the base of element 6 includes circular portions. It is noted the alleged cone 20 of the instant application is not a true “cone” as it does not include an apex, and would be more accurately be described as conical or frusto-conical. Element 6 of Luebke is clearly at least conical or frusto-conical in shape.

Regarding argument 2), element 6 of Luebke is clearly in direct contact with the tapered recess of element 10 per Fig. 1, and must be in direct contact for the drive bearing to be operable. Since element 6 is in direct contact with the tapered recess of element 10, then a degree of

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friction must exist therebetween. Although the examiner acknowledges Luebke specifically discloses the spring 22, flange 9 and jaws 25 function to hold element 6 in the recess of element 10, the friction between element 6 and 10 inherently also provides a degree of holding force via the direct contact therebetween. It is noted the claims do not require the frictional engagement between the cone and the recess to provide the only holding force therebetween.

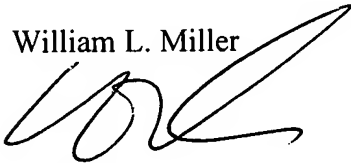
(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.


For the above reasons, it is believed that the rejections should be sustained.


Respectfully submitted,

William L. Miller



Conferees:

~~J.S.~~ Judy Swann 

~~D.S.~~ Daniel Stodola  DPS